

Three (3) copies of the drawings must accompany
this permit application

Permit Number _____
CONTROL _____ SECTION _____

ENTERED IN COMPUTER FILE

INITIAL AND DATE

STATE OF LOUISIANA
DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

VEGETATION MAINTENANCE PERMIT

(Required by State Law) Rev 5/13

A copy of this permit shall be available at the site where and when work is performed.

Whereas _____,
(Print or type name of applicant)

hereinafter termed applicant, requests a permit for the use and occupancy of the right-of-way of State Highway No. _____

in _____ Parish, located as follows:

from: _____ Lat: _____ Long: _____

to: _____ Lat: _____ Long: _____
(in Decimal Degrees, e.g. Lat:-30.459, Long: -91.178)

for the planting and/or removal, operation, and maintenance of the following described project (Use additional sheets as necessary):

Estimated value of this project: _____

By signing this permit, applicant/permittee hereby acknowledges receiving a copy of the permit, the general conditions and standards, and the Specific Standards for the Planting and/or Removal of Vegetation, and agrees to comply with all provisions contained therein and all applicable laws, rules and regulations.

DOTD USE ONLY:

Permit is subject to the following conditions:

RECOMMENDED FOR APPROVAL

(Check box if review required)

Permit must be signed by the owner or lessee of the property.
Contractor may NOT acquire permit

☒ District Permit Specialist / Date

(Signed)

(Owner) (Date)

☐ District Traffic Operation Engineer / Date

(Printed or Typed)

(Name of Person Signing Permit)

☒ District Roadside Development Specialist / Date

(Title)

(Street or P.O. Box)

(City or Town) (State) (Zip Code)

(Telephone Number)

(E-mail Address)

Applicant must notify District Permit Specialist

**At phone number: _____
prior to beginning work and after work is completed.**

Issue Date: _____

Expiration Date: _____

DOTD APPROVAL:

District Administrator (or Designee) / Date

Print Name: _____

The following general conditions and standards shall apply:

FIRST: That, the rights and privileges granted herein shall be nonexclusive and shall not be construed to be any broader than those expressly set out in Acts of the Legislature of the State of Louisiana, regardless of the language used in this permit and that any facilities placed on the highway right-of-way shall be placed in accordance with existing laws and the standards of the Department.

SECOND: That, all work performed thereto shall at all times be subject to inspection and the right is reserved to require such changes, additions, repairs, relocations and removal as may at anytime be considered necessary to permit the relocation, reconstruction, widening and maintaining of the highway and to provide proper and safe protection to life and property on or adjacent to the highway, or in the interest of safety to traffic on the highway and that the cost of making such changes, additions, repairs and relocations shall be borne by the applicant, and that all of the cost of the work to be accomplished under this permit shall be borne by the permittee who agrees to hold the Department harmless therefor.

THIRD: That, the proposed vegetation or their maintenance shall not unreasonably interfere with the facilities or the operation or maintenance of the facilities of other persons, firms or corporations previously issued permits of use and occupancy, and the proposed facilities shall not be dangerous to persons or property using or occupying the highway or using facilities constructed under previously granted permits of use and occupancy; and that the Department's records of prior permits are available, it being the duty of the applicant to determine the existence and location of all facilities within the highway right-of-way.

FOURTH: That, data relative to the proposed location, relocation and design of vegetation as may be required by the Department shall be furnished to the Department by the applicant free of cost, and that the permit applicant shall make any and all changes or additions necessary to make the proposed vegetation thereto satisfactory to the Department.

FIFTH: That, the applicant agrees to defend, indemnify, and hold harmless the Department and its duly appointed agents and employees from and against any and all claims, suits, liabilities, losses, damages, costs or expenses, including attorneys' fees sustained by reason of the exercise of this permit, whether or not the same may have been caused by the negligence of the Department, its agents or employees, provided, however, that the provisions of this last clause (whether or not the same may have been caused by the negligence of the Department, its agents or employees) shall not apply to any personal injury or property damage caused by the sole negligence of the Department, its agents or employees, unless such sole negligence shall consist or shall have consisted entirely and only of negligence in the granting of a permit or permits.

SIXTH: That, any permit granted by the Department is subject to revocation at any time.

SEVENTH: That, signing for warning and protection of traffic in instances where workmen, equipment or materials are in close proximity to the roadway surfacing, shall be in accordance with requirements contained in the Department's Manual on Uniform Traffic Control Devices. No vehicles, equipment and/or materials shall operate from, or be parked, stored or stock piled on any highway, median, or in an area extending from the outer edge of the shoulder of the highway on one side to the outer edge of the shoulder of the highway on the opposite side or in the median of any divided highway.

EIGHTH: That, drainage in highway side and cross ditches must be maintained at all times. The entire highway right-of-way affected by work under a permit must be restored to as good a condition as existed prior to beginning work to the complete satisfaction of the Departments District Administrator.

NINTH: Prior to performing any excavations, the applicant is required to call Louisiana One Call. If installing any underground facilities such as cable or conduits, the applicant must be a member of Louisiana One Call.

TENTH: That, cutting and trimming of trees, shrubs, etc., shall be in accordance with the following: National Electrical Safety Code, International Society of Arboriculture standards, the Departments EDSM IV.2.1.6 and the Policy for Roadside Vegetation Management, as revised.

ELEVENTH: That, the applicant is responsible for maintenance of the cleared or thinned area.

TWELFTH: That, permits granted for vegetation removal will require mitigation in the form of replacement plantings.

Vegetation permits will NOT be issued in any of the following circumstances:

- (1) Clearing to provide visibility for outdoor advertising prior to, during sign placement, or where the sign has been in place less than five (5) years.
- (2) Removal of trees or other vegetation to provide visibility for outdoor advertising a distance greater than 500 feet from any outdoor advertising.
- (3) Clearing to provide visual access to a site before the proposed development's building's exterior shell has been completed.
- (4) Vegetation work is planned by the Department or other parties where construction on a proposed highway project is imminent within two (2) years.

SPECIFIC STANDARDS FOR THE PLANTING AND/OR REMOVAL OF VEGETATION

- A. Trimming and Removal (Trees six (6) inches or greater)
 - (1) This permit shall not be applicable for trimming and removal of trees along Interstate right-of-way or where significant trees may be affected. The applicant must obtain a Vegetation Enhancement Permit.
 - (2) Attached plans to the application for a permit shall include the following:
 - (a) Nature of work to be done – (e.g., Clearing and removal of underbrush and thinning and removal of no more than (60%) of existing trees that are 6” in diameter and under.)
 - (b) A plan of the area and work to be performed.
 - (c) Digital photographs and a diagram of the affected area in accordance with EDSM No. IV.2.1.6
 - (3) Trimming and removal of trees shall be performed by an ISA certified arborist and a licensed, bonded and insured tree service at no cost to the Department. No topping of trees will be allowed.
 - (4) The applicant shall not erect, or enter into an agreement with other parties to erect, outdoor advertising adjacent to the highway right-of-way for the location for which the permit is issued.
 - (5) Clearing to provide visibility for outdoor advertising may be permitted when the sign has been in place more than five (5) years.
 - (6) Trimming of trees for the movement of houses or other large movable goods will be reviewed on a case by case basis.
- B. Hay Harvesting
 - (1) Permittee is hereby advised of the Department’s herbicide program and the effect that the application of the herbicide may have on the use of hay for animal feed.
 - (2) The Department of Transportation and Development reserves the right to cut and remove hay with its maintenance forces at any time it deems necessary for the proper maintenance of the above described section of the highway right-of-way.
 - (3) Permits for harvesting hay may not be issued for a term greater than six (6) months. No time extension may be granted to this permit. Upon date of expiration the applicant may apply for a new permit.
- C. Mowing
 - (1) Mowing for beautification may be allowed and shall be covered by this permit.
 - (2) The mowed area shall not increase the area maintained by the Department.
 - (3) If the permittee decides not to maintain the cleared area, the Department shall let the area revert to the original condition of the site before the mowing was allowed.
- D. Underbrush Clearing
 - (1) The cleared area shall require the same level of maintenance as the surrounding area that is maintained by the Department.
 - (2) An approved herbicide may be used to maintain a brush-free appearance.
 - (3) Vegetation clearing or thinning for beautification shall not increase the area maintained by the Department.
 - (4) If the permittee decides not to maintain the cleared area, the Department shall let the area revert to the original condition of the site before the clearing or thinning was allowed.
- E. Access to the work area shall be from the main roadway or ramps or from the adjacent property as safety dictates. The permittee shall conduct his operation in accordance with DOTD Maintenance Traffic Control Handbook including appropriate traffic control devices. This disturbed access areas shall be restored to original condition upon completion of the work.
- F. Work will be performed only during regular daylight department hours, Monday through Friday excluding legal holidays. When a lane closure on a state highway is necessary, the Department shall ensure, whenever feasible, that such landscaping or maintenance work is not performed between the hours of 7:00 a.m. and 9:00 a.m. or between the hours of 3:00 p.m. and 6:00 p.m.
- G. Vegetation which has been cut shall not be left overnight within 30 feet of the travel lane or within highway right-of-way. No debris will be left over a weekend or holiday. No burning will be permitted on the highway right- of-way. Stumps shall be cut and ground flush with the ground and treated with an approved herbicide immediately after the stump is ground.
- H. The trees or other vegetation to be thinned, selectively removed, or removed and enhanced are a distance greater than 500 feet measured along the interstate from the intersection or the gore area, whichever is greater may be considered.